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SUBJECT: INTERAGENCY MARITIME OPERATIONS STILL STALLED

¶1. (U) Summary. To accomplish the Albanian Navy's dual role as Coast Guard, current Albanian law calls for the establishment of an Inter-Institutional Maritime Operations Center (IMOC) to coordinate maritime protection and law enforcement between the Ministries of Defense (MoD) and Interior (MoI) and the Customs Agency. While it was intended to turn the Navy Operation Center in Plepa, Durres into the IMOC, to date, only the Navy currently staffs and uses the Plepa facility, and no Memorandum of Agreement (MoA) exists between the agencies to delineate command and control, responsibilities and authorities for the IMOC. Furthermore, the Law on the Coast Guard is unclear and contradictory on the division of labor. The MoD and MoI have each submitted their own versions of a draft Council of Ministers Decision to rectify the problem. However neither draft has seen any movement in the Council of Ministers. The international community is working on an initiative to move this issue forward. End Summary.

ONE NAVY, TWO MISSIONS  
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¶2. (U) After the 1997 collapse of the Albanian Government, in 2002 the GOA reestablished its Navy (reftel). For lack of resources, instead of establishing a separate coast guard, the 2002 Law on the Coast Guard gave the Navy the secondary role and mission of Coast Guard. But subsequently, according to the Ohrid Process agreements Albania signed in 2003, Albania agreed that its border enforcement would be under civilian control. This is also a requirement for Albania's possible future accession to the European Union. How to ensure that the Navy's Coast Guard responsibilities are conducted under civilian control has been unresolved to date. A further complication has been how to coordinate the Navy's Coast Guard duties with the Border Police and with Customs.

IMOC ESTABLISHED, BUT STILL NOT STAFFED  
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¶3. (U) To this end, in 2007, the GoA passed an amendment to the Law on the Coast Guard to require the establishment of an Inter-institutional Maritime Operation Center (IMOC) collocated with the Naval Brigade Headquarters Navy Operations Center in Plepa, Durres. The goal was to staff the IMOC with MoD and MoI officers who would coordinate the use of Navy assets during law-enforcement responsibilities. In theory, through radio and radar, the IMOC would monitor a real-time picture of the entire coast and the Navy would conduct patrols also. When a law enforcement case was encountered (e.g. smuggling), a Border Police officer on board the Navy patrol take operational control of the case.

¶4. (SBU) Reality has been quite different. In 2008, the Albanian Navy conducted very few patrols due to mismanagement of the procurement of fuel. The only patrols were conducted by the Italian Guardia di Finanza based in Durres. Furthermore, until this year, the only radar image of Albania's coast has been from Italian radars. Although Italy has agreed to share these images,

implementation of this agreement has allegedly been sporadic. Lockheed Martin has completed installation of an indigenous Albanian radar, which would feed in to the IMOC, and officially turned control of this system over to the GOA on March 18, 2009. With accession into NATO, Albania has plans to be linked to an air-and-sea surveillance picture from neighboring Greek systems.

15. (U) To date, only the Navy staffs and uses its operations center at Prespa, Durres due to unclear/differing ideas on how the IMOC will be used (purpose and scope, chains of command and lack of inter-institutional agreements). The Navy wants to retain operational control of the IMOC but this conflicts with the need for maritime law enforcement to be under civilian control. The MOI has submitted a proposal to be the controller of IMOC to establish civilian control, but the MOD is unlikely to support this proposal. The MOD is planning to designate work spaces at Plepa for other agencies, but it is doubtful other agencies will send staff until disagreements have been resolved. Further, the MOD is currently considering relocating the Navy's Durres Operation Center to its Joint Operations Center in Tirana, which may increase the obstacles of involving other agencies because of NATO and national military prohibitions.

#### LEGAL INSUFFICIENCIES

16. (U) All admit that the current Law on the Coast Guard is insufficient to resolve the division of labor and, in some places, contradictory. To resolve this, in 2008, both the Ministry of Defense and the Ministry of Interior have submitted competing draft decisions to the Council of Ministers (the highest executive body of the GOA). As could be expected, each draft gives its authors

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command of the IMOC. To date, there has been no movement in the Council of Ministers on either draft, and there seems little appetite at high levels to focus on this problem among myriad others in the run up to national elections on June 28.

#### INTERNATIONAL RESPONSE

17. (U) Representatives of several international assistance programs, including the OSCE, the EU's law enforcement assistance program, ICITAP, EXBS, Post's ODC office and others have formed a working group to try to resolve this impasse. The group has focused on merging the two proposed draft decisions into one workable law that can rectify the inadequacies of the current laws. Over the last several months, the group has worked on several drafts and is now ready to submit this draft to the GOA this week as a recommended way-forward. It is unknown if the GOA will give any this issue any attention. It has also been proposed that rather than merge the various proposals, it may be more useful to take as a model other EU countries with similar systems, such as the Dutch and to develop a new law based on that model. The working group is currently brain-storming other actions to prod movement on the ground towards an active IMOC role.